

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Anthony Earl Ray,	)	C/A No. 4:12-2723-RBH-KDW
	)	
	)	
Plaintiff,	)	
	)	
v.	)	ORDER LIFTING STAY
	)	AND
Chief Rhodes and John Townsend,	)	AMENDING SCHEDULING ORDER
	)	
Defendants.	)	
	)	
	)	

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Plaintiff, proceeding pro se, brought this action pursuant to 42 USC § 1983 asserting a claim for false arrest in violation of his constitutional rights. In its February 1, 2013 order, the court granted Defendants' Motion to Stay this proceeding pending resolution of the then-ongoing underlying criminal matter. ECF No. 27. The court also denied Plaintiff's Motion to Compel without prejudice and with leave to refile after the stay was lifted. *Id.* at 2. Defendants were instructed to provide the court with a status report on the underlying criminal matter every six months and to notify the court when the criminal charges had been resolved. *Id.* On July 30, 2013, Defendants provided the court with the requested report, advising that the criminal matter remained pending. ECF No. 31. On March 24, 2014, Defendants filed a Motion for Summary Judgment, ECF No. 34, in which they note Plaintiff had pleaded guilty to manslaughter for the charges at issue, *see* ECF No. 34-5 at 2, 34-3. As the stay had not been lifted at that time, Defendants have now withdrawn their Motion as premature. *See* ECF No. 40. On March 25, 2014, Defendants filed a Motion to Lift Stay, informing the court that Plaintiff entered a guilty plea as to the charges for which he brought this suit and asking that the court lift the stay so that this matter can proceed on its merits. ECF No. 41.

Having been advised that the criminal charges are now ended, the court hereby grants Defendant's Motion to Lift Stay, ECF No. 41. The Clerk of Court is to lift the Stay. Plaintiff is advised that he is not required to respond to the Motion for Summary Judgment Defendants served on him by mail on March 24, 2014.

The court issues the following amended scheduling deadlines:

1. Discovery shall be completed no later than **May 16, 2014**. All discovery requests shall be served in time for the responses thereto to be served by this date. If Plaintiff chooses to refile his Motion to Compel; however, he must do so no later than this same deadline.
2. All other motions, except those to complete discovery and those nonwaivable motions made pursuant to Federal Rule of Civil Procedure 12, shall be filed on or before **June 17, 2014**. Fed. R. Civ. P. 16(b)(2).

IT IS SO ORDERED.

March 25, 2014  
Florence, South Carolina

A handwritten signature in black ink, appearing to read "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent and the last name "West" following it.

Kaymani D. West  
United States Magistrate Judge